

08 CV 2064

**Judge Pauley**

CLOSED, JURY, TRANSFERRED, TYPE-M

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:07-cv-01280-JDB  
Internal Use Only**

ROYAL d/b/a AMERICAN YOUTH SYMPHONY v.  
OXYGEN MEDIA,LLC.

Assigned to: Judge John D. Bates

Demand: \$100,000,000

Case: 1:07-cv-02161-JDB

Case in other court: Superior Court for the District of  
Columbia, 2007-CA-003999

Cause: 28:1332 Diversity-Other Contract

Date Filed: 07/18/2007

Date Terminated: 12/31/2007

Jury Demand: Plaintiff

Nature of Suit: 190 Contract: Other

Jurisdiction: Diversity

**Plaintiff**

**AMERICAN YOUTH SYMPHONY**  
*TERMINATED: 08/22/2007*

represented by **AMERICAN YOUTH SYMPHONY**  
c/o Gregory Charles  
262 16th Street SE  
Suite 3  
Washington, DC 20003  
PRO SE

**Plaintiff**

**GREGORY CHARLES ROYAL**  
*doing business as*  
**AMERICAN YOUTH SYMPHONY**

represented by **GREGORY CHARLES ROYAL**  
262 16th Street SE  
Suite 3  
Washington, DC 20003  
PRO SE

V.

**Defendant**

**OXYGEN MEDIA, INC.**  
*TERMINATED: 08/22/2007*

represented by **Constance Morrow Pendleton**  
**DAVIS WRIGHT TREMAINE, LLP**  
1919 Pennsylvania Avenue, NW  
Suite 200  
Washington, DC 20006-3402  
(202) 973-4229  
Fax: (202) 973-4499  
Email: [conniependleton@dwt.com](mailto:conniependleton@dwt.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**OXYGEN MEDIA, LLC**

represented by **Constance Morrow Pendleton**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
07/18/2007	<a href="#"><u>1</u></a>	NOTICE OF REMOVAL by OXYGEN MEDIA, INC. from Superior Court for the District of Columbia, case number 2007-CA-003999. (Filing fee \$ 350, receipt number 4616005613) filed by OXYGEN MEDIA, INC.. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet # <a href="#"><u>2</u></a> Exhibit A# <a href="#"><u>3</u></a> Exhibit B# <a href="#"><u>4</u></a> Exhibit C# <a href="#"><u>5</u></a> Exhibit D)(lc, ) (Entered: 07/19/2007)
07/18/2007	<a href="#"><u>2</u></a>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by OXYGEN MEDIA, INC. (lc, ) (Entered: 07/19/2007)
07/24/2007	<a href="#"><u>3</u></a>	Consent MOTION for Extension of Time to File Answer to Complaint by OXYGEN MEDIA, INC. (Attachments: # <a href="#"><u>1</u></a> Attachments 1 & 2# <a href="#"><u>2</u></a> Text of Proposed Order)(Pendleton, Constance) (Entered: 07/24/2007)
07/26/2007	<a href="#"><u>4</u></a>	MINUTE ORDER: Upon consideration of <a href="#"><u>3</u></a> defendant's consent motion for extension of time, it is hereby ORDERED that the motion is GRANTED, and it is further ORDERED that defendant shall file an answer or otherwise respond to the complaint by not later than August 3, 2007. Signed by Judge John D. Bates on 7/26/2007. (lcjdb2) (Entered: 07/26/2007)
07/30/2007	<a href="#"><u>5</u></a>	(Court only) ***Staff notes (tth, ) (Entered: 07/30/2007)
07/31/2007	<a href="#"><u>6</u></a>	Receipt on 7/31/2007 of ORIGINAL FILE, certified copy of transfer order and docket sheet from Superior Court. Superior Court Number 07ca3999. (lc, ) (Entered: 08/01/2007)
08/03/2007	<a href="#"><u>7</u></a>	MOTION to Dismiss for Lack of Jurisdiction by OXYGEN MEDIA, INC. (Attachments: # <a href="#"><u>1</u></a> Declaration of Fabian Milburn# <a href="#"><u>2</u></a> Affidavit of Erica Diaz# <a href="#"><u>3</u></a> Text of Proposed Order)(Pendleton, Constance) (Entered: 08/03/2007)
08/07/2007	<a href="#"><u>8</u></a>	Consent MOTION for Extension of Time to File Response/Reply as to <a href="#"><u>5</u></a> MOTION to Dismiss for Lack of Jurisdiction by OXYGEN MEDIA, INC. (Attachments: # <a href="#"><u>1</u></a> Text of Proposed Order)(Pendleton, Constance) (Entered: 08/07/2007)
08/10/2007	<a href="#"><u>9</u></a>	Amended MOTION to Dismiss for Lack of Jurisdiction by OXYGEN MEDIA, INC. (Attachments: # <a href="#"><u>1</u></a> Corrected Declaration of F. Milburn# <a href="#"><u>2</u></a> Affidavit of E. Diaz# <a href="#"><u>3</u></a> Affidavit of B. Collins# <a href="#"><u>4</u></a> Affidavit of E. Howie# <a href="#"><u>5</u></a> Affidavit of K. Minarik# <a href="#"><u>6</u></a> Text of Proposed Order)(Pendleton, Constance) (Entered: 08/10/2007)
08/13/2007	<a href="#"><u>10</u></a>	ORDER requiring plaintiff to file a notice with the Court demonstrating that it has retained counsel by not later than August 27, 2007; terminating

		<u>5</u> defendant's motion to dismiss; and granting <u>6</u> defendant's consent motion for extension of time. See order for details. Signed by Judge John D. Bates on 8/13/2007. (lcjdb2) (Entered: 08/13/2007)
08/13/2007	●	Set/Reset Deadlines: Plaintiff's notice of retention of counsel due by 8/27/2007. (lcjdb2) (Entered: 08/13/2007)
08/21/2007	● <u>9</u>	MOTION To Modify re <u>8</u> Order on Motion to Dismiss/Lack of Jurisdiction,, Order on Motion for Extension of Time to File Response/Reply, by AMERICAN YOUTH SYMPHONY (lc, ) (Entered: 08/22/2007)
08/22/2007	● <u>10</u>	ORDER granting <u>9</u> plaintiff's motion to modify August 13, 2007 order. See order for details. Signed by Judge John D. Bates on 8/22/2007. (lcjdb2) (Entered: 08/22/2007)
08/22/2007	●	(Court only) ***Party GREGORY CHARLES ROYAL, and OXYGEN MEDIA, LLC rep by Constance Morrow Pendleton added. Party AMERICAN YOUTH SYMPHONY and OXYGEN MEDIA, INC. terminated. (lc, ) (Entered: 08/23/2007)
08/24/2007	● <u>11</u>	MOTION For Production of Documents by GREGORY CHARLES ROYAL (lc, ) (Entered: 08/27/2007)
09/07/2007	● <u>12</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>11</u> MOTION to Produce <i>Documents</i> by OXYGEN MEDIA, LLC (Attachments: # <u>1</u> Text of Proposed Order)(Pendleton, Constance) (Entered: 09/07/2007)
09/07/2007	●	MINUTE ORDER: Upon consideration of <u>12</u> defendant's consent motion for extension of time, it is hereby ORDERED that the motion is GRANTED, and it is further ORDERED that defendant shall file an opposition to <u>11</u> plaintiff's motion for production of documents by not later than September 14, 2007. Signed by Judge John D. Bates on 9/7/2007. (lcjdb2) (Entered: 09/07/2007)
09/07/2007	● <u>13</u>	Memorandum in opposition to re <u>7</u> Amended MOTION to Dismiss for Lack of Jurisdiction filed by GREGORY CHARLES ROYAL. (Attachments: # <u>1</u> Attachments 1, 2 and 3# <u>2</u> Attachment 4)(lc, ) (Entered: 09/10/2007)
09/14/2007	● <u>14</u>	MOTION to Withdraw <u>11</u> MOTION to Produce by GREGORY CHARLES ROYAL (lc, ) (Entered: 09/17/2007)
09/14/2007	● <u>15</u>	Supplement to Memorandum in opposition to re <u>7</u> Amended MOTION to Dismiss for Lack of Jurisdiction filed by GREGORY CHARLES ROYAL. (lc, ) (Entered: 09/17/2007)
09/18/2007	●	MINUTE ORDER: Upon consideration of <u>14</u> plaintiff's motion to withdraw, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; and it is further ORDERED that <u>11</u> plaintiff's motion for production of documents is TERMINATED. SO ORDERED. Signed by Judge John D. Bates on 9/18/2007.(lcjdb2) (Entered: 09/18/2007)

09/18/2007	●	(Court only) Motion terminated: <u>11</u> MOTION to Produce filed by GREGORY CHARLES ROYAL.(lcjdb2) (Entered: 09/18/2007)
09/28/2007	● <u>16</u>	REPLY to opposition to motion re <u>7</u> Amended MOTION to Dismiss for Lack of Jurisdiction filed by OXYGEN MEDIA, LLC. (Pendleton, Constance) (Entered: 09/28/2007)
10/01/2007	● <u>17</u>	MOTION to Transfer Case in Lieu of Dismissal by GREGORY CHARLES ROYAL (lc, ) (Entered: 10/03/2007)
12/31/2007	● <u>18</u>	ORDER granting <u>17</u> plaintiff's motion to transfer to the United States District Court for the Southern District of New York. Signed by Judge John D. Bates on 12/31/2007.(lcjdb2) (Entered: 12/31/2007)
12/31/2007	●	(Court only) ***Civil Case Terminated. (lcjdb2) (Entered: 12/31/2007)
02/29/2008	●	Case transferred out to the USDC of Southern District of New York, pursuant to Court Order entered 12/31/2007. Sent to Court by Email to Dorothy Guranich/NYSD/02/USCOURTS. (lc, ) (Entered: 02/29/2008)